

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BEVERLY ADKINS, CHARMAINE WILLIAMS,
REBECCA PETTWAY, RUBBIE McCOY,
WILLIAM YOUNG, on behalf of themselves and all
others similarly situated, and MICHIGAN LEGAL
SERVICES,

Plaintiffs,

v.

MORGAN STANLEY, MORGAN STANLEY &
CO. LLC, MORGAN STANLEY ABS CAPITAL I
INC., MORGAN STANLEY MORTGAGE
CAPITAL INC., and MORGAN STANLEY
MORTGAGE CAPITAL HOLDINGS LLC,

Defendants.

1:12-cv-7667-HB

**NOTICE OF DEFENDANTS'
MOTION TO DISMISS**

**Oral Argument Scheduled
for March 13, 2013, at 10:30 a.m.**

PLEASE TAKE NOTICE that pursuant to Federal Rules of Civil Procedure 8(a), 9(b), 12(b)(1), and 12(b)(6), and based upon the accompanying memorandum of law, defendants Morgan Stanley, Morgan Stanley & Co. LLC, Morgan Stanley ABS Capital I Inc., Morgan Stanley Mortgage Capital Inc., and Morgan Stanley Mortgage Capital Holdings LLC hereby move this Court, the Honorable Harold Baer, United States District Judge for the Southern District of New York, United States Courthouse, 500 Pearl Street, New York, NY 10007-1312, for an order dismissing all claims in the Class Action Complaint with prejudice.

Dated: December 21, 2012

Respectfully submitted,

/s/ Noah A. Levine

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